

**Main Office**

P.O. BOX 620 / 6413 32nd Street / North Highlands / CA 95660  
(916) 334-1221 Estimating / Engineering FAX (916) 334-0562  
Accounting FAX (916) 334-8355

**Southern California Regional Office**

P.O. BOX 867 / 19010 Slover Ave. / Bloomington / CA 92316  
(909) 875-0533 Engineering / Accounting FAX (909) 875-2243

Via Facsimile (916) 227-6282

May 17, 2016

State Of California  
Department Of Transportation  
1727 30<sup>th</sup> Street, Bidder Exchange, MS 43  
Sacramento CA 95816-8041

Attn: Jill Y. Sewell, Office Chief, Office Engineer, Construction Contract Awards

Re: Contract No. 07-2159U4  
Route 5 From Artesia Blvd UC To North Fork Coyote Creek, Buena Park  
BID PROTEST

Ladies/Gentlemen:

Please consider this letter to be a formal protest of the bid submitted by Security Paving Company, Inc, and Shimmick Construction Company, Inc, the apparent low bidder and third bidder, respectively, in connection with Contract No. 07-2159U4. MCM Construction, Inc. is the second lowest bidder.

**SECURITY'S DBE COMMITMENT FORM IS NOT CONSISTENT WITH SUBCONTRACTOR LIST**  
The instructions on the DBE Commitment form state *"The names of the 1<sup>st</sup> tier DBE subcontractors and items of work must be consistent with the Subcontractor List"*.

Security identified items of work for DBE subcontractors Diversified Landscape Company and Tipco Engineering on the DBE Commitment form that are not consistent with Security's bid day Subcontractor List for these respective subcontractors.

Security's bid day listing of Diversified Landscape was for Items 44 and 94 through 130. Security identified Diversified Landscaping on the DBE Commitment form for several items but not including Items 94, 96, 97, 98, 99, 100, 101, 102, and 103 all of which are items for which Diversified was listed on bid day. Accordingly, the DBE Commitment form for Diversified Landscape is not consistent with Security's Subcontractor List.

Security's bid day listing of Tipco Engineering was for Items 142, 143, and 145 through 150, all pile items. Security identified Tipco Engineering on the DBE Commitment form for one additional pile item, Item 144, which Security did not include on their bid day Subcontractor List. The inclusion of the additional item changes the scope of work to be performed by Tipco and constitutes a change that is not consistent with the Subcontractor List form.

Page 2

Jill Y. Sewell, Office Chief, Office Engineer, Construction Contract Awards  
State Of California, Department Of Transportation  
May 17, 2016

Re: 07-2159U4 Bid Protest

---

Since Security's DBE Commitment form is not consistent with their Subcontractor List, Security's bid is nonresponsive. Caltrans has found numerous bids nonresponsive when the DBE Commitment form is not consistent with the Subcontractor List, including, but not nearly limited to, Contract 06-0T6504 by attached letter dated April 27, 2016, Contract 02-4E6404 by attached letter dated April 19, 2016, Contract 04-1J3204 by attached letter dated November 13, 2015, and Contract 04-0G2214 by attached letter dated August 14, 2015.

SHIMMICK'S DBE COMMITMENT FORM IS NOT CONSISTENT WITH SUBCONTRACTOR LIST

Again, the instructions on the DBE Commitment form state "*The names of the 1<sup>st</sup> tier DBE subcontractors and items of work must be consistent with the Subcontractor List*".

Shimmick's bid day listing of Diversified Landscape was for Items 44 and 94 through 100. Shimmick identified Diversified Landscaping on the DBE Commitment form for several items but not including Items 94, 96, 97, 98, 99, 100 all of which are items for which Diversified was listed by Shimmick on bid day. Shimmick also listed an additional 30 items on its DBE Commitment form to be performed by Diversified Landscape which were not included on Shimmick's bid day Subcontractor List for Diversified Landscape, specifically Items 101 through 130, inclusive. The inclusion of these additional 30 items changes the scope of work to be performed by Diversified Landscape and constitutes a change that is not consistent with Shimmick's Subcontractor List.

Since Shimmick's DBE Commitment form is not consistent with their Subcontractor List, Shimmick's bid is nonresponsive. Caltrans has found numerous bids nonresponsive when the DBE Commitment form is not consistent with the Subcontractor List, including, but not nearly limited to, Contract 06-0T6504 by attached letter dated April 27, 2016, Contract 02-4E6404 by attached letter dated April 19, 2016, Contract 04-1J3204 by attached letter dated November 13, 2015, and Contract 04-0G2214 by attached letter dated August 14, 2015.

CONCLUSION

Given all the above, Caltrans should find the bid of Security Paving Company, Inc. and Shimmick Construction Company, Inc. nonresponsive and award Contract 07-2159U4 to MCM Construction, Inc, the lowest responsive and responsible bidder.

Page 3

Jill Y. Sewell, Office Chief, Office Engineer, Construction Contract Awards  
State Of California, Department Of Transportation  
May 17, 2016

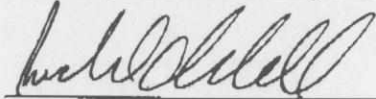
Re: 07-2159U4 Bid Protest

---

Please contact the undersigned, should you have any questions or comments.

Sincerely,

**MCM CONSTRUCTION, INC.**



RICHARD McCALL  
Vice President

/rm

Enclosures

Cc: JAC, HDM, JRC, RDB, Bid File

## STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 07-2159U4 Project ID: 0715000160

Bidder Name: Security Paving Company, Inc.

Bidder ID: VC0000021062

DES-OE-0102.2C (REV 03/2015)

Bidding Firm: Security Paving Company, Inc.

List this sub? Yes

## 7) Business Name Diversified landscape co.

Location City Wildomar State CA

California Contractor License Number 576183

Public Works Contractor Registration Number 1000009249

Portion of Work Subcontracted:

Item #	Description
44 100	
94 100	
95 100	
96 100	
97 100	

List this sub? Yes

## 8) Business Name Diversified Landscape Co

Location City Wildomar State CA

California Contractor License Number 576183

Public Works Contractor Registration Number 1000009249

Portion of Work Subcontracted:

Item #	Description
98 100	
99 100	
100 100	
101 100	
102 100	

List this sub? Yes

## 9) Business Name Diversified Landscape Co

Location City Wildomar State CA

California Contractor License Number 576183

Public Works Contractor Registration Number 1000009249

Portion of Work Subcontracted:

Item #	Description
103 100	
104 100	
105 100	
106 100	
107 100	

## STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 07-2159U4 Project ID: 0715000160

Bidder Name: Security Paving Company, Inc.

Bidder ID: VC0000021062

DES-OE-0102.2C (REV 03/2015)

---

Bidding Firm: Security Paving Company, Inc.

List this sub? Yes

10) Business Name Diversified Landscape Co  
Location City Wildomar State CA  
California Contractor License Number 576183  
Public Works Contractor Registration Number 1000009249  
Portion of Work Subcontracted:

Item #	Description
108 100	
109 100	
110 100	
111 100	
112 100	

List this sub? Yes

11) Business Name Diversified Landscape Co  
Location City Wildomar State CA  
California Contractor License Number 576183  
Public Works Contractor Registration Number 1000009249  
Portion of Work Subcontracted:

Item #	Description
113 100	
114 100	
115 100	
116 100	
117 100	

List this sub? Yes

12) Business Name Diversified Landscape Co  
Location City Wildomar State CA  
California Contractor License Number 576183  
Public Works Contractor Registration Number 1000009249  
Portion of Work Subcontracted:

Item #	Description
118 100	
119 100	
120 100	
121 100	
122 100	



## STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 07-2159U4 Project ID: 0715000160

Bidder Name: Security Paving Company, Inc.

Bidder ID: VC0000021062

DES-OE-0102.2C (REV 03/2015)

Bidding Firm: Security Paving Company, Inc.

List this sub? Yes

## 13) Business Name Diversified Landscape Co

Location City Wildomar State CA

California Contractor License Number 576183

Public Works Contractor Registration Number 1000009249

Portion of Work Subcontracted:

Item %	Description
123 100	
124 100	
125 100	
126 100	
127 100	

List this sub? Yes

## 14) Business Name Diversified Landscape Co

Location City Wildomar State CA

California Contractor License Number 576183

Public Works Contractor Registration Number 1000009249

Portion of Work Subcontracted:

Item %	Description
128 100	
129 100	
130 100	

List this sub? Yes

## 15) Business Name A M CONCRETE, INC.

Location City Sylmar State CA

California Contractor License Number 446850

Public Works Contractor Registration Number 1000006525

Portion of Work Subcontracted:

Item %	Description
236 100	
237 100	
238 100	
239 100	
240 100	

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**DBE - COMMITMENT**  
 DES-OE-0102100 (REV 12/2014)

CONTRACT NO.

07-2159U4

BID AMOUNT:

\$139,567,930.11

BID OPENING DATE

4/27/16

BIDDER'S NAME

Security Paving Company Inc.

DBE GOAL FROM CONTRACT %

13%

DBE PRIME CONTRACTOR CERTIFICATION

N.A.

TOTAL NUMBER OF ALL SUBCONTRACTS (DBE &amp; NON-DBE)

12

TOTAL VALUE OF ALL SUBCONTRACTS (DBE &amp; NON-DBE)

\$39,538,650.00

BID ITEM NO	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED	WORK CATEGORY CODES	NAME OF DBE (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
44,95 104-130	Rock Blanket, Irrigation	C1901, C1910, C1920, C1930, C2065, C3100, C5110, C7200, C7215, C7301	Diversified Landscape CO., 8022 21730 Bundy Canyon Rd Wildomar CA 92593 (951) 245-1686	\$1,267,300

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontract List (Pub Conf Code § 4100 et seq.).

\*Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

\*If 100% of an item is not to be performed or furnished by the DBE describe the exact portion of the item to be performed or furnished.

\*Use Work Category Codes from the California Unified Certification Program database.

Total Claimed  
Participation

S

%

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

Signature of Bidder

4/29/16

Date

(818) 362-9200

(Area Code) Tel. No.

Joseph Ferndino

Person to Contact

(Please Type or Print)

## ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 445-1233, TTY: 711, or write to Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

## STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 07-2159U4 Project ID: 0715000160

Bidder Name: Security Paving Company, Inc.

Bidder ID: VC0000021062

ADDITIONAL SUBCONTRACTOR LIST 2

DES-OE-0102.2C (REV 03/2015)

---

Bidding Firm: Security Paving Company, Inc.

List this sub? Yes

## 31) Business Name TIPCO ENGINEERING INC

Location City Bellflower State CA

California Contractor License Number 928364

Public Works Contractor Registration Number 1000005156

Portion of Work Subcontracted:

Item #	Description
142 100	
143 100	
145 100	
146 100	
147 100	

List this sub? Yes

## 32) Business Name TIPCO ENGINEERING INC

Location City Bellflower State CA

California Contractor License Number 928364

Public Works Contractor Registration Number 1000005156

Portion of Work Subcontracted:

Item #	Description
148 100	
149 100	
150 100	

List this sub? Yes

## 33) Business Name MALCOLM DRILLING COMPANY, INC.

Location City San Francisco State CA

California Contractor License Number 259543

Public Works Contractor Registration Number 1000003389

Portion of Work Subcontracted:

Item #	Description
144 100	



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**DBE - COMMITMENT**  
 DES-CE-0102.100 (REV 12/2014)

CONTRACT NO.

07-2159U4

BID AMOUNT:

\$139,567,930.11

BID OPENING DATE

4/27/16

BIDDER'S NAME

Security Paving Company Inc.

DBE GOAL FROM CONTRACT %

13%

DBE PRIME CONTRACTOR CERTIFICATION<sup>1</sup>

N.A.

TOTAL NUMBER OF ALL SUBCONTRACTS (DBE &amp; NON-DBE)

12

TOTAL VALUE OF ALL SUBCONTRACTS (DBE &amp; NON-DBE)

\$39,538,650.00

BID ITEM NO	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED <sup>2</sup>	WORK CATEGORY CODES <sup>2</sup>	NAME OF DBE <sup>3</sup> (Must be certified on this data book and opened include California certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT <sup>4</sup> (S)
142-150	Furnish & Drive Piling	C1920, C4901; C8776	Tipco Engineering, Inc. 37925 425 E Redondo Beach Blvd. Gardena, CA 90248 (310) 515-6579	\$11,889,482

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Cont Code § 4100 et seq.).

<sup>1</sup>Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

<sup>2</sup>If 100% of an item is not to be performed or furnished by the DBE describe the exact portion of the item to be performed or furnished.

<sup>3</sup>Use Work Category Codes from the California Unified Certification Program database.

Total Claimed  
Participation

S

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (#8 CFA 26.53).

Signature of Bidder

4/29/16 (818) 362-9200  
 Date (Area Code) Tel. No.

Joseph Fernando  
 Person to Contact (Please Type or Print)

## ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 445-1233, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.



## STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 07-2159U4 Project ID: 0715000160

Bidder Name: Shimmick Construction

Bidder ID: VC0000101072

DES-OE-0102.2C (REV 03/2015)

---

Bidding Firm: Shimmick Construction

List this sub? Yes

10) Business Name Harber Companies, Inc.  
Location City San Bernardino State CA  
California Contractor License Number 657614  
Public Works Contractor Registration Number 1000005455  
Portion of Work Subcontracted:

Item #	Description
71-75 100	

List this sub? Yes

11) Business Name Diversified Landscape Co.  
Location City Wildomar State CA  
California Contractor License Number 576183  
Public Works Contractor Registration Number 1000009249  
Portion of Work Subcontracted:

Item #	Description
44 100	
94-100 100	

List this sub? Yes

12) Business Name All American Asphalt  
Location City Corona State CA  
California Contractor License Number 267073  
Public Works Contractor Registration Number 1000001051  
Portion of Work Subcontracted:

Item #	Description
134 100	
135 100	
137 100	
138 100	

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**DBE CONFIRMATION**  
 DES-05-0102 13 (NEW 05/2015)

Contract no.

07-2159U4

Name of DBE business:

Diversified Landscape Co.

Name of DBE representative:

Daniel Cano

DBE certification number:

8022

Name of bidder:

Shinnick Construction Co., Inc.

Name of prime contractor if different from the bidder:

Name of representative of bidder or prime contractor:

Date:

Bid item number	Item of work and description of services to be subcontracted or materials to be provided	Amount
44	Remove existing irrigation facility	\$750.00
95	Rock blanket	\$1,005,000.00
104	Check and test existing irrigation facilities	\$1,820.00
106	Control and neutral conductors	\$16,100.00
107	1" Remote control valve	\$6,720.00
108	1 1/2" Remote control valve	\$3,690.00
109	2" Remote control valve	\$980.00
110	8 Station irrigation controller (wall mounted)	\$5,250.00
111	16-18 station irrigation controller (wall mounted)	\$11,720.00
112	1" Galvanized steel pipe	\$1,012.00
Total		\$1,052,942.00

If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished

As an authorized representative of a certified disadvantaged business enterprise, I confirm that my business was solicited by the bidder or prime contractor shown above regarding the contract shown above. If the bidder is awarded the contract, my business will enter into a contractual agreement with the bidder or prime contractor to perform the type and dollar amount of work shown on the DBE Confirmation form.

I certify under penalty of perjury that the foregoing is true and correct.

Signature of DBE's authorized representative

Daniel Cano

Printed name of DBE's authorized representative

Estimator

Title of DBE's authorized representative

04/29/2016

Date:

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For alternate format information, contact the Forms Management Unit at (916) 445-1233, TTY 711, or write to Records and Forms Management, 1201 K Street, MS 80, Sacramento, CA 95834.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**DBE CONFIRMATION**  
 DES-DBE-0102.13 (NEW 05/2015)

Contract no.

07-2159U4

Name of DBE business

Diversified Landscape Co.

Name of DBE representative

Daniel Cano

DBE certification number

8022

Name of bidder

Shimmick Construction Co., Inc.

Name of prime contractor if different from the bidder

Name of representative of bidder or prime contractor

Date

Bid item number	Item of work and description of services to be subcontracted or materials to be provided	Amount (\$)
113	2" Galvanized steel pipe	\$2,280.00
114	Irrigation controller enclosure cabinet	\$9,570.00
115	1" Backflow preventer assembly	\$4,400.00
116	2" Backflow preventer assembly	\$9,700.00
117	Flow sensor	\$3,510.00
118	Riser sprinkler assembly	\$7,068.00
119	Riser sprinkler assembly	\$7,700.00
120	Pop-up sprinkler assembly	\$8,844.00
121	2" gate valve	\$1,410.00
122	6" gate valve	\$1,350.00
Total		\$55,832.00

If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

As an authorized representative of a certified disadvantaged business enterprise, I certify that my business was contacted by the bidder or prime contractor shown above regarding the contract shown above. If the bidder is awarded the contract, my business will enter into a contractual agreement with the bidder or prime contractor to perform the type and dollar amount of work shown on the DBE Commitment form.

I certify under penalty of perjury that the foregoing is true and correct.

Signature of DBE's authorized representative

Daniel Cano

Name of DBE's authorized representative

Estimator

Type of DBE's authorized representative

04/29/2016

Date

**ADA NOTICE**

For individuals with sensory disabilities, this document is available in alternate formats. For alternate format information, contact the Forms Management Unit at (619) 443-1203, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-00, Sacramento, CA 95814.



## STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION

## DBE CONFIRMATION

DBE-CE-0102.13 (REV. 05-2015)

Contract No.

07-2159U4

Name of DBE business:

Diversified Landscape Co.

Name of DBE representative:

Daniel Cano

DBE confirmation number:

8022

Name of bidder:

Shimmick Construction Co., Inc.

Name of prime contractor if different from the bidder:

Name of representative of bidder or prime contractor:

Date:

Bid Item number	Item of work and description of services to be performed or materials to be provided	Amount (\$)
123	3/4" Plastic pipe (schedule 40) (supply line)	\$23,533.75
124	1" Plastic pipe (schedule 40) (supply line)	\$9,240.00
125	1 1/4" Plastic pipe (schedule 40) (supply line)	\$9,818.50
126	1 1/2" Plastic pipe (schedule 40) (supply line)	\$15,724.40
127	2" Plastic pipe (schedule 40) (supply line)	\$22,264.20
128	6" Plastic pipe (schedule 40) (supply line)	\$36,603.00
129	Ball valve	\$2,640.00
130	6" Welded steel pipe conduit	\$26,400.00
339	Mobilization (partial)	\$11,000.00
105	Operate existing irrigation facilities	\$12.100
Total		\$170,326.85

If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished

As an authorized representative of a certified disadvantaged business enterprise, I certify that my business will be contacted by the bidder or prime contractor shown above regarding the contract shown above. If the bidder is awarded the contract, my business will enter into a contractual agreement with the bidder or prime contractor to perform the type and dollar amount of work shown on the DBE Confirmation form.

I verify under penalty of perjury that the foregoing is true and correct.

Signature of DBE's authorized representative

Daniel Cano

Printed name of DBE's authorized representative

Estimator

Title of DBE's authorized representative

04/29/2016

Date

## ADA Notice

For individuals with temporary or permanent disabilities, this document is available in alternative formats. For alternate format information, contact the forms Management Unit at (916) 445-1335, TTY 711, or write to Records and Forms Management, 1120 N Street, Suite 100, Sacramento, CA 95814.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr. Governor

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

1727 30th STREET, MS-43

P.O. BOX 168041

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

TTY 711

www.dot.ca.gov

*Serious drought.  
Help save water!*

April 27, 2016

Facsimile: (951) 674-7495

Jason Papich, President  
Papich Construction Company, Inc.  
P.O. Box 2210  
Pismo Beach, CA 93448

06-0T6504  
06-Fre-5-10.0/20.0  
B.O. 4/19/16

Dear Mr. Papich:

The Department of Transportation (Caltrans) received a bid submitted by Papich Construction Company, Inc. (Papich) for the above referenced contract on April 19, 2016. By this letter, Caltrans notifies Papich that its bid is nonresponsive because of an inconsistent Disadvantaged Business Enterprise (DBE) Commitment form and Subcontractor List form.

The instructions on the DBE Commitment form states: "*Names of the First Tier DBE subcontractors and their items of work must be consistent with the Subcontractor List.*"

On the Subcontractor's List form, Papich identified Super Seal & Strip (Super Scal) as performing work described as bid items 3, 15, 16, 17, and 18. However, on the DBE Commitment form Papich listed Super Seal as performing the same bid items and included bid items 19 and 20. The inclusion of these additional items changes the scope of work to be performed by Super Seal and constitutes a change that is not consistent with the Subcontractor List form.

Based on the above, Caltrans finds Papich is nonresponsive. Caltrans will proceed to award the contract to the lowest responsible bidder provided all requirements are met.

Your attention is directed to Section 3-1.04 of the 2010 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to extend your bid while resolving a nonresponsive finding, you must send your request to the Office Engineer no later than 4:00 p.m., two business days prior to the expiration of your bid.

If you have any questions, please contact Mulissa Smith, Contract Awards Branch Chief, at (916) 227-6228.

Sincerely,

A handwritten signature in cursive script, reading "Jill Y. Sewell".

JILL Y. SEWELL

Office Chief

Office Engineer, Construction Contract Awards

Division of Engineering Services

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

## DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

1727 30th STREET, MS-43

P.O. BOX 168041

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

TTY 711

www.dot.ca.gov



Serious drought.  
Help save water!

April 19, 2016

Facsimile: (530) 226-6401

Kevin Ramstrom, President  
Steelhead Constructors, Inc.  
P.O. Box 997  
Palo Cedro, CA 96073

02-4E6404  
02-Plu-147-8.9/9.3  
B.O. 3/30/16

Dear Mr. Ramstrom:

The Department of Transportation (Caltrans) received a bid submitted by Steelhead Constructors, Inc. (Steelhead) for the above referenced contract on March 30, 2016. By this letter, Caltrans notifies Steelhead that its bid is nonresponsive because of an inconsistent Disadvantaged Business Enterprise (DBE) Commitment form and Subcontractor List form.

The instructions on the DBE Commitment form states: "*Names of the First Tier DBE subcontractors and their items of work must be consistent with the Subcontractor List.*"

On the Subcontractor's List form, Steelhead identified Dirt & Aggregate Interchange, Inc. (D&A) as performing work described as bid items 80, 81, 82, 83, and 84. However, on the DBE Commitment form Steelhead listed D&A as performing the same bid items and included bid items 24, 28, 58, 78, and 79. The inclusion of these additional items changes the scope of work to be performed by D&A and constitutes a change that is not consistent with the Subcontractor List form.

Based on the above, Caltrans finds Steelhead is nonresponsive. Caltrans will proceed to award the contract to the lowest responsible bidder provided all requirements are met.

Your attention is directed to Section 3-1.04 of the 2010 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to extend your bid while resolving a nonresponsive finding, you must send your request to the Office Engineer no later than 4:00 p.m., two business days prior to the expiration of your bid.

If you have any questions, please contact Mulissa Smith, Contract Awards Branch Chief, at (916) 227-6228.

Sincerely,

JEFF DEFEVERE

Office Chief

Office Engineer, Construction Contract Awards

Division of Engineering Services

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

P.O. BOX 168041, MS-43

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

TTY 711

www.dot.ca.gov

*Serious drought.  
Help save water!*

November 13, 2015

Facsimile: (415) 457-5820

Robert O. Valentine, President

Valentine Corporation

111 Pelican Way

San Rafael, CA 94901

04-1J3204

04-Son-116-13.7

B.O. 10/29/15

Dear Mr. Valentine:

The Department of Transportation (Caltrans) received a bid submitted by Valentine Corporation (Valentine) for 04-1J3204 on October 29, 2015. By this letter, Caltrans notifies Valentine that its bid is nonresponsive because of an inconsistency found in the Subcontractor List and the Disadvantaged Business Enterprise (DBE) Commitment form.

The DBE Commitment form states in part, "...names of the First Tier DBE Subcontractors and their respective item(s) of work listed above must be consistent, where applicable, with the names and items of work on the Subcontractor List form submitted with your bid."

On the Subcontractor List form, Valentine identified Nitta Erosion Control (Nitta) as performing bid items 15, 59, 60-65 (Temporary Hydraulic Mulch, Move-in Move-out Erosion Control, Rolled Erosion Control Product (netting), Hydromulch, Fiber Rolls, Straw, Hydroseed, and Compost). However, on the DBE Commitment form, Valentine listed Nitta to perform bid items 50-58 (Plant (Group H), Plant (Group B), Plant Establishment Work, Wood Mulch, Riser Sprinkler Assembly, Cam Coupler Assembly, 1" Plastic (Schedule 40) (Supply Line), 1-1/2" (Schedule 40) (Supply Line), and Pressure Regulating Valve). The addition of these bid items changes the description of work to be performed Nitta and constitutes a change that is not consistent with the Subcontractor List form.

Based on the above, Caltrans will proceed to award the contract to the lowest responsible bidder.

Your attention is directed to Section 3-1.04 of the Revised 2010 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to extend your bid while resolving a nonresponsive finding, you must send your request to the Office Engineer no later than 4:00 p.m., two business days prior to the expiration of your bid.

If you have any questions, please contact Mulissa Smith, Contract Awards Manager, at (916) 227-6228.

Sincerely,

JOHN C. McMILLAN

Deputy Division Chief

Office Engineer

Division of Engineering Services



STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

P.O. BOX 168041, MS-43

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

TTY 711

www.dot.ca.gov

*Serious drought.  
Help save water!*

August 14, 2015

Facsimile: (510) 577-7706

Greg Gruendl, President  
Ray's Electric  
411 Pendleton Way, Suite B  
Oakland, CA 94621

04-0G2214  
04-Ala, CC-13, 24, 61, 160, 580 & 680-Var  
B.O. 7/29/15

Dear Mr. Gruendl:

The Department of Transportation (Caltrans) received a bid submitted by Ray's Electric (Ray's) for Contract 04-0G2214 on July 29, 2015. By this letter, Caltrans notifies Ray's Electric that its bid is nonresponsive because of an inconsistency found in the Subcontractor List and the Disadvantaged Business Enterprise (DBE) Commitment form.

The DBE Commitment form states in part, "...names of the First Tier DBE Subcontractors and their respective item(s) of work listed above must be consistent, where applicable, with the names and items of work on the Subcontractor List form submitted with your bid."

On the Subcontractor List form, Ray's Electric has identified Traffic Control Pros as only performing bid items 2, Construction Area Signs and 3, Traffic Control System.

However, on the DBE Commitment form, Ray's Electric included bid item 4, Portable Changeable Message Sign. The inclusion of bid item 4 changes the description of work to be performed by Traffic Control Pros and constitutes a change that is not consistent with the Subcontractor List form.

Based on the above, Caltrans will proceed to award the contract to the lowest responsible bidder.

Your attention is directed to Section 3-1.04 of the Amendments to the 2010 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to extend your bid while resolving a nonresponsive finding, you must send your request to the Office Engineer no later than 4:00 p.m., two business days prior to the expiration of your bid.

If you have any questions, please contact Mulissa Smith, Contract Awards Manager, at (916) 227-6228.

Sincerely,

JOHN C. McMILLAN  
Deputy Division Chief  
Office Engineer  
Division of Engineering Services